

DECLARATION AND POWER OF ATTORNEY FOR UTILITY PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**CURSOR CONTROL DEVICE HAVING AN INTEGRAL TOP MEMBER**

the specification of which

X is attached hereto.  
\_\_\_\_ was filed on \_\_\_\_\_ as  
Application Serial No.  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I do not know and do not believe that the same was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and said invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)Priority Claimed

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(Number)

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(Country)

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(Day/Month/Year Filed)

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Yes

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No

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) or Section 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

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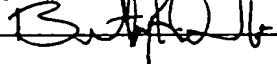
(Application Serial No.)

(Filing Date)

(Status -- patented, pending, abandoned)

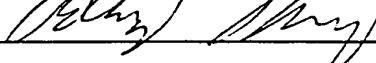
I hereby appoint as my attorneys, Mark Aaker, Reg. No. 32,667; Albert P. Cefalo, Reg. No. 27,315; Richard Liu, Reg. No. 34,377; Edward W. Scott, IV, Reg. No. 36,000; Nancy R. Simon, Reg. No. 36,930; and Helene Plotka Workman, Reg. No. 35,981; of **APPLE COMPUTER, INC.**, located at **1 Infinite Loop, M/S: 38-PAT, Cupertino, California 95014**, telephone **(408) 974-9453**, facsimile **(408) 974-5436**, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

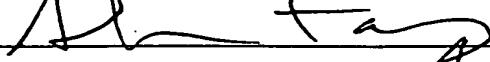
Full Name of Joint/First Inventor: **Bartley K. Andre**  
Inventor's Signature 

Date 11/29/99Residence: 655 14<sup>th</sup> Avenue, Menlo Park, California 94025Citizenship: United States

Post Office Address: Same

Full Name of Joint/Second Inventor: **Adam S. Farag**Inventor's Signature Date 12/25/99Residence: 8934 Trolley Road, Columbia, Illinois 62236Citizenship: United States

Office Address: Same

Full Name of Joint/Third Inventor: **Abraham S. Farag**Inventor's Signature Date 12/12/99Residence: 4202 Ruthelma Avenue, Palo Alto, California 94306 Citizenship: United States

Post Office Address: Same

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Andre et al.

Attorney Docket No.: APL1P234C1

Application No.: Unassigned

Examiner: Unassigned

Filed: Herewith

Group: Unassigned

Title: CURSOR CONTROL DEVICE HAVING  
AN INTEGRAL TOP MEMBER**POWER OF ATTORNEY BY ASSIGNEE AND 37 CFR §3.73 STATEMENT**Commissioner for Patents  
Washington, D. C. 20231

Sir:

Apple Computers, Inc. is the assignee of the above-referenced patent application by virtue of an assignment document. The assignment document is/was recorded:

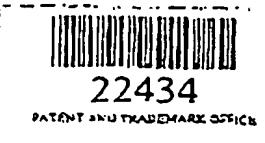
at Reel \_\_\_\_\_, Frame(s) \_\_\_\_\_  
 on \_\_\_\_\_  
 submitted concurrently herewith

The assignee represents, pursuant to 37 C.F.R. §3.73(b), that the undersigned is a representative authorized and empowered to sign on behalf of the assignee.

Pursuant to 37 C.F.R. §§1.36 and 3.71, the assignee hereby revokes all powers of attorney previously given and hereby appoints the law firm of Beyer Weaver & Thomas, LLP and all practitioners who are associated with the **Customer Number 022434** as principal attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Please send all correspondence for this application as follows:

Customer Number 022434  
BEYER WEAVER & THOMAS, LLP  
P.O. Box 778  
Berkeley, CA 94704-0778

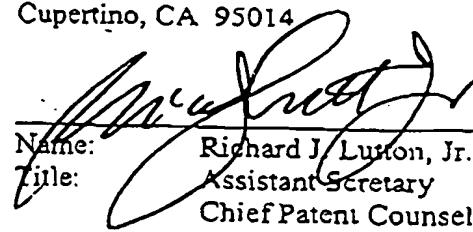


Please direct any calls to Quin C. Hoellwarth (650) 961-8300.

Assignee of Interest:

Apple Computers, Inc.  
1 Infinite Loop  
Cupertino, CA 95014

Date 1-29-02

  
Name: Richard J. Linton, Jr.  
Title: Assistant Secretary  
Chief Patent Counsel